



CITY OF LODI COUNCIL COMMUNICATION

TM

AGENDA TITLE: Adopt Resolution Approving the Addendum to the Improvement Agreement for the Public Improvements of Century Meadows One, Unit 2, Tract No. 2786

MEETING DATE: December 17, 2003

PREPARED BY: Public Works Director

RECOMMENDED ACTION: That the City Council adopt a resolution approving the Addendum to the Improvement Agreement for the Public Improvements of Century Meadows One, Unit 2, Tract No. 2786 and direct the City Manager and City Clerk to execute the Addendum to the Improvement Agreement on behalf of the City.

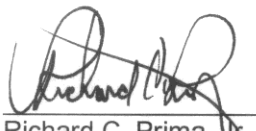
BACKGROUND INFORMATION: The subdivision is located north of Harney Lane, west of the Woodbridge Irrigation District canal and south of the Century Meadows One, Unit No. 1 development, as shown on Exhibit A. The development consists of 57 single-family residential lots.

As part of the subdivision improvements, the developer, K & W Development, LLC, is responsible for the installation of a public masonry wall, landscaping and irrigation improvements along Harney Lane and the installation of public street trees in the parkways between the curb and sidewalk along the interior streets in the subdivision. The conditions of approval of the tentative map for the development require the developer to participate in the ongoing maintenance and replacement of those improvements. In compliance with this condition, the developer paid a one-time fence and landscape maintenance and replacement fee in the amount of \$26,754 to cover those costs prior to approval of the final map.

The developer has since elected to form a landscape and lighting maintenance district pursuant to the Landscaping and Lighting Act of 1972 to cover the ongoing maintenance and replacement costs for these improvements. Accordingly, the formation of the Century Meadows One Zone 2 to the Consolidated Landscape Maintenance District No. 2003-1 was initiated by Council on December 3, 2003, and a public hearing has been set for January 21, 2004, to hear public testimony on the formation and proposed assessments and for City Council action to form the district.

The Addendum to the Improvement Agreement sets forth the developer's and City's responsibilities regarding the formation of the assessment district. The developer is responsible for the professional services fees incurred by the City in the assessment district formation process and has paid the City \$14,500 to cover the initial estimates for those costs. When the formation of the assessment district is complete, the City will refund to the developer the fence and landscape maintenance and replacement fee previously paid by the developer less any outstanding unpaid costs associated with the formation of the assessment district.

FUNDING: Developer Funds


Richard C. Prima, Jr.
Public Works Director

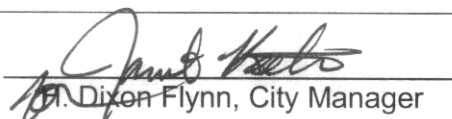
Prepared by Sharon A. Welch, Senior Civil Engineer
RCP/SAW/pmf
Attachment

cc: Senior Civil Engineer Fujitani

Farmers & Merchants Bank

K & W Development, LLC

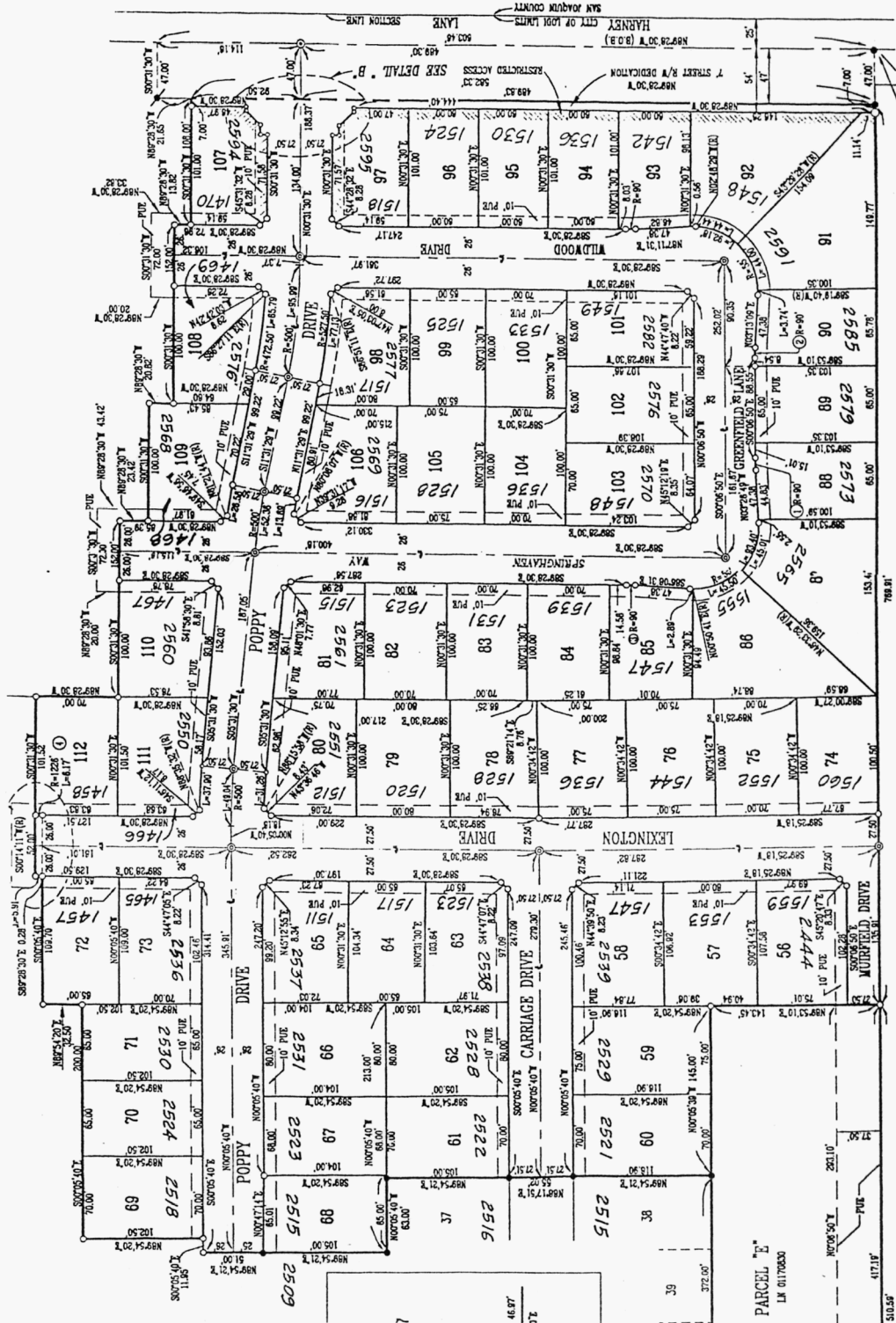
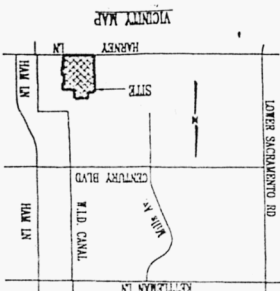
APPROVED:


M. Dixon Flynn, City Manager



CITY OF LODI
PUBLIC WORKS DEPARTMENT

EXHIBIT A



CENTURY MEADOWS ONE, UNIT NO. 2

N.T.S.

When Recorded, Please Return to:
Lodi City Clerk
P.O. Box 3006
Lodi, CA 95241-1910

RESOLUTION NO. 2003-241

A RESOLUTION OF THE LODI CITY COUNCIL APPROVING THE
ADDENDUM TO THE IMPROVEMENT AGREEMENT FOR THE PUBLIC
IMPROVEMENTS OF CENTURY MEADOWS ONE, UNIT NO. 2, TRACT
NO. 2786; AND FURTHER AUTHORIZING THE CITY MANAGER TO
EXECUTE AN ADDENDUM TO THE IMPROVEMENT AGREEMENT ON
BEHALF OF THE CITY OF LODI

=====

WHEREAS, as part of the subdivision improvements, the developer K & W Development, LLC, is responsible for the installation of a public masonry wall, landscaping and irrigation improvements along Harney Lane, and the installation of public street trees in the parkways between the curb and sidewalk along the interior streets in the subdivision; and

WHEREAS, the conditions of approval of the tentative map for the development require the developer to participate in the ongoing maintenance and replacement of those improvements. In compliance with this condition, the developer paid a one-time fence and landscape maintenance and replacement fee in the amount of \$26,754.00 to cover those costs prior to the approval of the final map; and

WHEREAS, the developer has elected to form a landscape and lighting maintenance district pursuant to the Landscaping and Lighting Act of 1972 to cover the ongoing maintenance and replacement costs for these improvements. Accordingly, the formation of the Century Meadows One Zone 2 to the Consolidated Landscape Maintenance District No. 2003-1 was initiated by the City Council on December 3, 2003, and a public hearing has been set for January 21, 2004, to hear public testimony on the formation and proposed assessments and for City Council action to form the district; and

WHEREAS, the Addendum to the Improvement Agreement sets forth the developer's and City's responsibilities regarding the formation of the assessment district; and

WHEREAS, staff recommends that the City Council take the following action with regard to the Century Meadows One, Unit 2, Tract No. 2786, development:

1. Approve the Addendum to the Improvement Agreement for the Public Improvements of Century Meadows One, Unit 2, Tract No. 2786, and direct the City Manager and City Clerk to execute the Addendum to the Improvement Agreement on behalf of the City.

The City Council of the City of Lodi hereby finds as follows:

1. That the Addendum to the Improvement Agreement for the Public Improvement of Century Meadows One, Unit 2, Tract No. 2786, is hereby approved and further authorizes the City Manager and City Clerk to execute said Addendum.

Dated: December 17, 2003

I hereby certify that Resolution No. 2003-241 was passed and adopted by the City Council of the City of Lodi in a regular meeting held December 17, 2003 by the following vote:

AYES: COUNCIL MEMBERS – Beckman, Hitchcock, Howard, Land, and Mayor Hansen

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None



SUSAN J. BLACKSTON
City Clerk

CITY COUNCIL

LARRY D. HANSEN, Mayor
JOHN BECKMAN
Mayor Pro Tempore
SUSAN HITCHCOCK
EMILY HOWARD
KEITH LAND

CITY OF LODI
PUBLIC WORKS DEPARTMENT

CITY HALL, 221 WEST PINE STREET
P.O. BOX 3006
LODI, CALIFORNIA 95241-1910
(209) 333-6706
FAX (209) 333-6710
EMAIL pwdept@lodi.gov
<http://www.lodi.gov>

H. DIXON FLYNN
City Manager
SUSAN J. BLACKSTON
City Clerk
RANDALL A. HAYS
City Attorney
RICHARD C. PRIMA, JR.
Public Works Director

December 11, 2003

K & W Development, LLC
c/o Chris Keszler
816 W. Lodi Avenue
Lodi, CA 95240

Farmers & Merchants Bank
P.O. Box 3000
Lodi, CA 95241

SUBJECT: Adopt Resolution Approving the Addendum to the Improvement Agreement for the Public Improvements of Century Meadows One, Unit No. 2, Tract No. 2786

Enclosed is a copy of background information on an item on the City Council agenda of Wednesday, December 17, 2003. The meeting will be held at 7 p.m. in the City Council Chamber, Carnegie Forum, 305 West Pine Street.

This item is on the consent calendar and is usually not discussed unless a Council Member requests discussion. The public is given an opportunity to address items on the consent calendar at the appropriate time.

If you wish to write to the City Council, please address your letter to City Council, City of Lodi, P. O. Box 3006, Lodi, California, 95241-1910. Be sure to allow time for the mail. Or, you may hand-deliver the letter to City Hall, 221 West Pine Street.

If you wish to address the Council at the Council Meeting, be sure to fill out a speaker's card (available at the Carnegie Forum immediately prior to the start of the meeting) and give it to the City Clerk. If you have any questions about communicating with the Council, please contact Susan Blackston, City Clerk, at 333-6702.

If you have any questions about the item itself, please call Sharon Welch, Senior Civil Engineer, at 333-6800, extension 2659.

P. Prima

for: Richard C. Prima, Jr.
Public Works Director

RCP/pmf

Enclosure

cc: City Clerk